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Mark G Knedeisen Esq
Kirkpatrick & Lockhart LLP
Henry W Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222-2312

EXAMINER

CHOW, MING

ART UNIT

PAPER NUMBER

2645

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/635,018

Applicant(s)

ZHANG ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-2, 6-11, 16-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Tatchell et al (US-PAT-NO: 5,999,611).

For claim 1, regarding a switch in communication with a telecommunications device associated with the telecommunications user for detecting a trigger specific to the telecommunication service in response to a communication from the telecommunications device, Tatchell et al teach on item 10 Fig. 1 telephone switching center. The telephone switching center of Fig 1 of Tatchell is the claimed “a switch”. Tatchell et al also teach on Column 6 Line 45 signal transfer point (STP) Acting as a packet switch, it examines incoming messages and then routes them over the appropriate signaling link to the proper destination. The “examines incoming messages” of

Art Unit: 2645

Tatchell is the claimed “detecting a trigger”. Regarding an intelligent resource server in communication with the switch for receiving the communication from the telecommunication device via the switch , for playing an audible message for the telecommunication user in response to receiving the communication, the message prompting the telecommunication user to modify a call forwarding profile associated with the telecommunication user, and for automatically recognizing a predetermined keyword spoken by the telecommunications user in response to the audible message. Tatchell et al teach on Column 14 Line 46 the personal agent would provide an indication to the subscriber By providing the subscriber with an audio greeting. The “personal agent” of Tatchell is the claimed “intelligent resource server”. The “audio greeting” of Tatchell is the claimed “audible message”. Tatchell et al also teach on Column 19 Line 26 the call forward option allows the subscriber to direct incoming calls to their current location. Tatchell also teach on Column 19 Line 36 by entering the telephone number through DTMF entries. The “entering the telephone number” of Tatchell is the claimed “modify a call forwarding profile”. Tatchell et al further teach on Column 19 Line 31 the subscriber may identify one of the principal subscriber numbers by name, for example, “home”, “work”, “cellular”. The “home”, “work”, “cellular” of Tatchell are the claimed predetermined keywords spoken by the telecommunication user.

Regarding claims 2 and 12, Tatchell et al teach on Fig. 1 subscriber line for connection between item 17a (the claimed telecommunication device) and item 14 (line circuits of a switch).

Art Unit: 2645

Regarding claims 6 and 16, Tatchell et al teach on Column 6 Line 23 SS7 signaling nodes include signaling points (SP), service switching points (SSP), service control points (SCP).

For claim 7, regarding the switch is further for sending a query message to the service control point in response to detecting the trigger, Tatchell et al teach on Column 8 Line 52 the determination of whether the subscriber has access to a personal agent service is made by launching a query to a signaling control point. Regarding the service control point is for returning a message to the switch to route the communication from the telecommunications device to the intelligent resource server, Tatchell et al teach on Column 8 Line 57 a response from the SCP would then indicate whether the call is to be handled by the personal agent processor. The “response from the SCP” of Tatchell is the claimed “a message”. The “call to be handled by the personal agent processor” of Tatchell is the claimed “route the communication from the telecommunication device to the intelligent resource server”.

Regarding claim 8, Tatchell et al teach on Column 9 Line 4 when the subscriber making use of telephone set is identified as a personal agent subscriber by telephone switching center and database a path is established along link to the personal agent processor. The “subscriber ... is identified as a personal agent subscriber” of Tatchell is the claimed “determination of ... user is a subscriber of the telecommunications service”.

Regarding claim 9, Tatchell et al also teach on Column 19 Line 26 the call forward option allows the subscriber to direct incoming calls to their current location. Tatchell also teach on Column 19

Art Unit: 2645

Line 36 by entering the telephone number through DTMF entries. The “entering the telephone number” of Tatchell is the claimed “modify a call forwarding profile”. Tatchell et al further teach on Column 19 Line 31 the subscriber may identify one of the principal subscriber numbers by name, for example, “home”, “work”, “cellular”. The “home”, “work”, “cellular” of Tatchell are the claimed predetermined keywords spoken by the telecommunication user. It is inherent that the call forwarding must be activated on the SCP after the intelligent resource server identifies the predetermined keyword and sending a message to the SCP.

Regarding claim 10, Tatchell et al also teach on Column 19 Line 26 the call forward option allows the subscriber to direct incoming calls to their current location. Tatchell also teach on Column 19 Line 36 by entering the telephone number through DTMF entries. It is inherent that the call forwarding must be activated on the SCP after the intelligent resource server identifies the predetermined keyword and sending a message to the SCP.

For claims 11, 22, 26, and 31, regarding a switch in communication with a telecommunications device associated with the telecommunications user for detecting a trigger specific to the telecommunications service in response to a communication from the telecommunications device, Tatchell et al teach on item 10 Fig. 1 telephone switching center. The telephone switching center of Fig 1 of Tatchell is the claimed “a switch”. Tatchell et al also teach on Column 6 Line 45 signal transfer point (STP) Acting as a packet switch, it examines incoming messages and then routes them over the appropriate signaling link to the proper destination. The “examines incoming messages” of Tatchell is the claimed “detecting a trigger”.

Art Unit: 2645

Regarding a call processing module in communication with the switch for receiving the communication from the telecommunications device via the switch, Tatchell et al teach on item 16 Fig. 1 call controller. The call controller is the claimed call processing module. Regarding an enunciation module in communication with the call processing module for playing an audible message for the telecommunications user in response to receiving the communication, the message prompting the telecommunications user to modify a call forwarding profile associated with the telecommunications user, Tatchell et al teach on Column 14 Line 46 the personal agent would provide an indication to the subscriber By providing the subscriber with an audio greeting. The “audio greeting” of Tatchell is the claimed “audible message”. It is inherent that there must be an enunciation module for generating the audible message. Tatchell et al also teach on Column 19 Line 26 the call forward option allows the subscriber to direct incoming calls to their current location. Tatchell also teach on Column 19 Line 36 by entering the telephone number through DTMF entries. The “entering the telephone number” of Tatchell is the claimed “modify a call forwarding profile”. Regarding an automatic speech recognition module in communication with the switch for recognizing a predetermined keyword spoken by the telecommunications user in response to the audible message, Tatchell et al further teach on Column 19 Line 31 the subscriber may identify one of the principal subscriber numbers by name, for example, “home”, “work”, “cellular”. The “home”, “work”, “cellular” of Tatchell are the claimed predetermined keywords spoken by the telecommunication user. It is inherent that there must be an automatic speech recognition module in order to identify the spoken keywords.

Art Unit: 2645

For claim 17, regarding the switch is further for sending a query message to the service control point in response to detecting the trigger, Tatchell et al teach on Column 8 Line 52 the determination of whether the subscriber has access to a personal agent service is made by launching a query to a signaling control point. Regarding the service control point is for returning a message to the switch to route the incoming communication to the call processing module, Tatchell et al teach on Column 6 Line 34 an SS7 query to obtain additional routing information from an SCP and then route or treat the call based on the information received in the SCP's response. The SCP's response of Tatchell is the claimed "service control point is for returning a message". It is inherent that the message must be returned to the switch in order to route the call. It is inherent that the incoming communication must be routed to the call processing module in order to complete the call routing.

Regarding claim 18, Tatchell et al teach on Column 9 Line 4 when the subscriber making use of telephone set is identified as a personal agent subscriber by telephone switching center and database a path is established along link to the personal agent processor. The "subscriber ... is identified as a personal agent subscriber" of Tatchell is the claimed "determination of ... user is a subscriber of the telecommunications service".

Regarding claims 19, 23, 28, and 32, Tatchell et al also teach on Column 19 Line 26 the call forward option allows the subscriber to direct incoming calls to their current location. Tatchell also teach on Column 19 Line 36 by entering the telephone number through DTMF entries. The "entering the telephone number" of Tatchell is the claimed "modify a call forwarding profile".

Art Unit: 2645

Tatchell et al further teach on Column 19 Line 31 the subscriber may identify one of the principal subscriber numbers by name, for example, “home”, “work”, “cellular”. The “home”, “work”, “cellular” of Tatchell are the claimed predetermined keywords spoken by the telecommunication user. It is inherent that the call forwarding must be activated on the SCP after the call processing module identifies the predetermined keyword and sending a message to the SCP.

Regarding claims 20, 24, 29, and 33, Tatchell et al also teach on Column 19 Line 26 the call forward option allows the subscriber to direct incoming calls to their current location. Tatchell also teach on Column 19 Line 36 by entering the telephone number through DTMF entries. It is inherent that there must be a DTMF decoder to recognize the DTMF entries.

Regarding claims 21, 25, 30, and 34, Tatchell et al also teach on Column 19 Line 26 the call forward option allows the subscriber to direct incoming calls to their current location. Tatchell also teach on Column 19 Line 36 by entering the telephone number through DTMF entries. The “entering the telephone number through DTMF entries” of Tatchell is the claimed “modify the call forwarding profile”. It is inherent that the call processing module must send a message to the service control point to query the service.

Regarding claim 27, Tatchell et al teach on Column 14 Line 46 the personal agent would provide an indication to the subscriber that it is available for service by providing the subscriber with an audio greeting. The “available for service” of Tatchell is the claimed “determined that the

Art Unit: 2645

telecommunication user is a subscriber of the telecommunication service. The "audio greeting" of Tatchell is the claimed "audible message"

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 3, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tatchell et al as applied to claim 1 above, and in view of Birckbichler (US-PAT-NO: 5,796,806). Tatchell et al failed to teach the switch includes a switch of a mobile switching center in communication with the telecommunication device via an air-interface communication scheme. However, Birckbichler teaches on Fig. 3 cellular switching center. The cellular switching center of Birckbichler is the claimed mobile switching center. It is inherent that the telecommunication device must connect with the mobile switching center via an air-interface. It would have been obvious to one skilled at the time the invention was made to modify Tatchell to have the switch includes a switch of a mobile switching center in communication with the telecommunication device via an air-interface communication scheme as taught by Birckbichler such that the modified system of Tatchell would be able to support the mobile switching center to the system users.

3. Claims 4, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tatchell et al as applied to claim 1 above, and in view of Martinez (US-PAT-NO: 5,784,438). Tatchell et al failed to teach the switch is further for detecting an originating trigger in response to a feature code entered by the telecommunications user from the telecommunications device. However, Martinez teaches on Column 3 Line 48 the calling party enters the feature code from the touch-tone keypad ... to activate the automatic call-back feature. The automatic call-back feature must be activated on the switch and it is inherent that the switch must detect the originating trigger (activating the feature of Martinez). It would have been obvious to one skilled at the time the invention was made to modify Tatchell to have the switch is further for detecting an originating trigger in response to a feature code entered by the telecommunications user from the telecommunications device as taught by Martinez such that the modified system of Tatchell would be able to support the detecting an originating trigger to the system users.

4. Claims 5, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tatchell et al as applied to claim 1 above, and in view of Malik (US-PAT-NO: 6,173,050). Tatchell et al failed to teach the switch is further for detecting a terminating trigger in response to an administration number entered by the telecommunications user from the telecommunications device. However, Malik teaches on Column 5 Line 1 the called party can deactivate the enhanced telecommunication service at any time by entering a feature code. The "feature code" of Malik is the claimed "an administration number". The "deactivate" of Malik is the claimed "terminating". It would have been obvious to one skilled at the time the invention was made to modify Tatchell

Art Unit: 2645

to have the switch is further for detecting a terminating trigger in response to an administration number entered by the telecommunications user from the telecommunications device as taught by Malik such that the modified system of Tatchell would be able to support the detecting a terminating trigger to the system users.

Conclusion

5. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

- Emery et al (US-PAT-NO: 6,011,975) teach method of personal communications service using wireline/wireless integration detecting a predetermined event during process of a call.
- Malik (US-PAT-NO: 6,188,757) teaches system and method for automatic provision customer selection, and deactivation of temporary advance intelligent network services.

6. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or

Art Unit: 2645

proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to TC2600's Customer Service FAX Number 703-872-9314.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

